Remarks

Claims 1-27 are pending. Claims 20 and 25-27 are cancelled. Accordingly, claims 1-19 and 21-24 are at issue.

Initially, the indication that claims 7, 13-17 and 21 recite allowable subject matter is noted with appreciation. Accordingly, claim 7 is rewritten in independent form to recite the limitations of intervening claim 6 and its base claim 1 so that claim 7 should now be in condition for allowance. Claim 13 is rewritten in independent form to recite the limitations of its base claim 9 so that claim 13, and claims 14-17 which depend therefrom, should now be in condition for allowance. Claim 21 is rewritten in independent form to recite the limitations of intervening claim 20 and its base claim 9 so that claim 21 should now be in condition for allowance.

Claims 1-6, 8, 9, 12, and 18-20 stand rejected under 35 USC §102(b) as anticipated by U.S. Patent No. 6, 116,835 to Blacket, et al. Claims 10 and 11 stand rejected under 35 USC §103(a) as unpatentable over Blacket, et al. Claims 22 and 23 stand rejected under 35 USC §103(a) as unpatentable over Balcket, et al. and further in view of U.S. Patent No. 3,990,343 to Francois. Claims 24-27 stand rejected under 35 USC §103(a) as unpatentable over Blacket, et al. in view of U.S. Patent No. 3,432,985 to Halstead. Claims 25 and 27 stand rejected under 35 USC §103(a) as unpatentable over Halstead in view of Blacket, et al.

The rejections, as they may apply to the claims presented herein, are respectfully traversed.

Claim 1 is directed to a rivet holder and calls for a unitary plate body of a predetermined thickness and having an upper surface and a lower surface spaced by the predetermined thickness of the body. As amended, claim 1 calls for a plurality of rivets having preformed rivet heads including top surfaces that are aligned with each other. A plurality of apertures of the unitary plate body are configured to support the rivets depending from the plate so that the top surfaces of the rivets do not project above the upper surface of the plate body. Amended claim 1 further recites that the top surfaces of the rivet heads are closer to the lower surface than the upper surface of the plate body. None of the relied upon art discloses or suggests the arrangement of rivet heads in apertures of a unitary plate body as called for in amended claim 1.

Blacket, et al. generally disclose carrier tape for carrying rivet fasteners. The tape taught by Blacket, et al. in their various embodiments is substantially different from the

unitary plate body in that they are configured to have a thin, flexible body to be driven about a drive sprocket of a fastening machine or tape feeder as shown in FIG. 12 of Blacket, et al. (see column 5, lines 4-8). Accordingly, in almost every embodiment taught by Blacket, et al., the rivets have their top surfaces extending above the corresponding upper surface of the thin carrier tape. In only the embodiments of FIGS. 43 and 44 is the rivet head top surface below the upper surface of the respective carrier tapes 250 and 260. However, in both of these instances the rivet head top surface is closer to the upper surface than the lower surface of the carrier tape 260. Thus, in none of their carrier tape embodiments do Blacket, et al. teach a unitary plate body as called for in amended claim 1, let alone apertures in the body configured to support rivets so that aligned top surfaces of rivet heads do not project above the upper surface of a plate body with the rivet head top surfaces being closer to the lower surface than the upper surface of the plate body. Accordingly, it is believed claim 1, and claims 2-6 and 8 which depend cognately therefrom, are allowable over the relied upon art.

Claim 9 is directed to a rivet collating system calling for a plurality of rivets and a plate body having a plurality of apertures configured for retaining the rivet heads therein. A drive head is associated with each of the plate apertures and includes at least one frangible portion for releasably connecting the drive head with the plate body. As amended, claim 9 calls for a body of each of the drive heads that is sized in clearance with the associated plate aperture to allow the drive heads to be driven down into the corresponding apertures of the plate body with the frangible portions severed to push the rivet heads out from the apertures. An upper portion of each of the drive heads is sized in interference with the associated plate aperture to retain the downwardly driven drive head in the associated plate aperture of the plate body. None of the relied upon art discloses or suggests the recited drive heads of amended claim 9.

In the Action, it is asserted that Blacket, et al. teach integral drive heads 102 and 103 that include at least one frangible portion 104 and 105. However, Blacket, et al. teach that the formations 102 and 103 are connected to the tape web 101 by hinge lines 104 and 105. The hinge lines 104 and 105 are not taught as being frangible. Rather, Blacket, et al. teach that the formations 102 and 103 are urged outwardly when a punch 109 expels the rivet fasteners 10 from the tape 100 (see column 5, lines 22-28). By contrast, claim 9 calls for frangible portions that are severed to allow the drive heads to be driven down into the corresponding apertures of the plate body. Accordingly, while Blacket, et al. teach pivoting

the formations 102 and 103 outwardly about hinge lines 104 and 105, claim 9 requires that the drive heads be driven down into the corresponding apertures by way of a frangible portion that is severed. Amended claim 9, further calls for the body of the drive head to be sized in clearance with the associated plate apertures which allows the drive heads to be driven down into the corresponding apertures with the frangible portions severed. No such sizing of a drive head body relative to a plate aperture is disclosed or suggested by Blacket, et al. In addition, claim 9 calls for an upper portion of the drive heads to be sized in interference with the associated plate aperture to retain the downwardly driven drive head in the associated aperture of the plate body. None of the carrier tape embodiments taught by Blacket, et al. have a drive head, a frangible portion and an associated aperture that are operable as called for in amended claim 9. Specifically, Blacket, et al. fail to disclose or suggest an upper portion of the drive heads that is sized in interference with the associated plate apertures to retain the downwardly driven drive heads in the associated aperture of the plate body, as called for in amended claim 9. Accordingly, it is believed that claim 9, and claims 10-12, 18, 19, and 22-24 which depend cognately therefrom, are allowable over the relied upon art.

Based on the foregoing, reconsideration and allowance of claims 1-19 and 21-24 are respectfully requested.

Respectfully submitted,

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